

GENERAL PROCEDURE FOR THE HEARING

RECEPTION OF PARTIES AND WITNESSES

The reception of parties and witnesses is a responsibility of the Clerk. The committee members will meet in the VIP room and the parties and witnesses will be led to separate rooms nearby. In addition, the Clerk will call for parties and witnesses by name in room H-110 at intervals before 10 a.m. He will lead the people who respond to the appropriate room. The Chairman of the Committee should meet with the parties before 10 a.m. to discuss such things as the order of appearance of witnesses and whether the parties will have counsel or a spokesman.

OPENING THE HEARING

1. The Chairman will announce the opening of the hearing.
2. The Chairman will offer his opening statement (a prepared text) which incorporates the material in the leaflets made available to the audience and the parties.
3. The Chairman will file the statement with the Clerk of the Hearing.

THE HEARING PROPER

1. The Chairman will announce having received a complaint. He will ask the Clerk to read it, including the signatures. He will then ask the Clerk to file it in the record.
2. The Chairman will announce that the parties have been notified of the hearing to review the complaint, and ask the Clerk so to record.
3. The Chairman directs the Clerk to call the interested parties, starting with the complainants, by name, individually. If there is no response, the call should be repeated outside the hall. If there is still no response, the Chairman will tell the Clerk to record that they were duly called and did not respond.

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4. The Chairman will ask the complainants if they have counsel, and if not, will ask them to designate a spokesman. Whether they designate a spokesman or not, he will ask that the response be recorded.
5. The Chairman directs the Clerk to call Professor Anderson. If Professor Anderson does not respond, the call is repeated outside the hall. If there is still no response, he will tell the clerk to record that he was duly called and did not respond.
6. The Chairman will ask Professor Anderson if he has counsel and have the reply recorded.
7. The Chairman will announce that the Committee has counsel and will describe his role.
8. The Chairman will ask both parties if they wish to make an opening statement. The Chairman will ask the committee counsel to define the form of an opening statement.
9. If there should be no opening statements, the fact will be recorded. If there are opening statements, they should begin with the complainants'.
10. The Chairman will explain that all witnesses are committee witnesses.
(He will ask the committee counsel to explain.)
11. The Chairman will now announce that one of these two alternatives is to be followed:
 - a) If both parties have counsel, the committee will use its counsel to do the first questioning. (The Chairman will ask the committee counsel to explain his neutral role.)
 - b) If either party should lack counsel, the Chairman will do the questioning. (The Chairman will ask counsel to explain his advisory function to the hearing.)
12. The witnesses will now be called in order. The Chairman will call each person by name. Unless there is prior agreement to do otherwise, they will appear in the following order:

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- a) the complainants. If they have not expressed a wish to appear in a certain order, he will ask them in alphabetical order.
(The Chairman will ask the committee counsel to explain to the complainants that they are now speaking as witnesses, and explain the limitations of that role.)
- b) those witnesses called by the committee at the request of the complainants;
- c) those witnesses called by the committee itself;
- d) those witnesses called by the committee at the request of Professor Anderson;
- e) Professor Anderson if he wishes to appear. (The point should have been arranged in the conference before the hearing).

THE PROCEDURE FOR QUESTIONING

The committee should seek to obtain the full truth without harassing any of the witnesses.

It should be understood that committee members may intervene with relevant questions upon testimony offered throughout the hearing.

- a) The first questioning of a witness shall be by the Chairman or committee counsel (as decided in item 11).
- b) The counsel for the witness may then wish to ask further questions.. He may ask about anything relevant to the matter.
- c) The counsel for the other party may then ask further questions about anything relevant to the matter.
- d) The Chairman will then provide opportunity for re-examination where there is more than one spokesman. The Chairman uses his discretion about the order in which they may question and about the number of times they may re-examine.
- e) The Chairman invites committee members to ask any further questions if they have any.
- f) The Chairman provides an opportunity for re-examination of the witness after committee members' questions.

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- g) When there are no more questions to the witness, the Chairman will ask him if there is any further testimony he wishes to give.
- h) The Chairman will then thank the witness and ask him to stand down but ask him to stay at the hearing in case his help should be required again.

CONCLUSION OF TESTIMONY

The Chairman announces that the hearing has heard the parties and all the witnesses and asks the clerk so to record.

SUMMATION

- a) The Chairman will ask if either side wishes to offer a summation. (He will ask counsel to explain the form of a summation.) He will invite summation, if it is offered, first from the complainants and then from Professor Anderson.
- b) The Chairman will listen to a request for the right to reply to the summation and will use his discretion about the number of replies if there be more than one.

CLOSURE OF THE OPEN HEARING

- a) The Chairman will announce that all the evidence having been heard, together with the summations and their replies, if any, the hearing is now declared closed.
- b) The Chairman will explain that the hearing committee will now adjourn to discuss the transcripts and to try to seek an agreement upon a report and recommendation to be offered to the Vice-Principal Academic for his action. In the event that there is no unanimity, the committee will issue majority and minority reports. The Chairman will not be able to offer a positive date for submitting the report.